

Remarks

1. Summary of Office Action

In the Office Action mailed March 28, 2006, the Examiner rejected claims 1, 3, and 10 under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 5,475,735 (Williams et al.), U.S. Patent No. 5,327,144 (Stilp et al.), and U.S. Patent Application Publication No. 2003/0060215 (Graham). The Examiner rejected claims 2 and 6-8 under 35 U.S.C. §103(a) as being unpatentable over the combination of Williams et al., Stilp et al., Graham, and U.S. Patent Application Publication No. 2005/0037729 (Dupont et al.). The Examiner rejected claims 4-5 and 9 under 35 U.S.C. §103(a) as being unpatentable over the combination of Williams et al., Stilp et al., Graham, and U.S. Patent No. 5,450,613 (Takahara et al.). The Examiner rejected claims 11-13 and 18-22 as being unpatentable over the combination of Williams et al., Dupont et al. and Graham. The Examiner rejected claims 14-17 under 35 U.S.C. §103(a) as being unpatentable over the combination of Williams et al., Dupont et al., Graham, and Takahara et al.

2. Amendments and Pending Claims

Applicant has amended claims 1, 3, 6, 10-11, and 22, cancelled claims 7-8 and 19-20, and added new claims 23-24. Claims 1-6, 9-18, and 21-24 are presently pending in this application, of which claims 1, 10-11, and 22 are independent.

3. Response to §103 Rejections

a. Claims 1, 3, and 10

The Examiner rejected claims 1, 3, and 10 under 35 U.S.C. §103(a) as being unpatentable over Williams et al. in view of Stilp et al. and Graham. Applicant has amended independent claims 1 and 10. Claims 1 and 10, as amended, clearly distinguish over the combination of

Williams et al., Stilp et al., and Graham because the combination of Williams et al., Stilp et al., and Graham fails to disclose or suggest all of the limitations of either of these claims.

In particular, the combination of Williams et al., Stilp et al., and Graham fails to disclose or suggest at least the elements of (i) activating an alert *at the fixed wireless device* if the registered location of the fixed wireless device does not match the current location of the fixed wireless device, as recited in claim 1, or (ii) activating an alert *at the wireless local loop hub* if the registered location of the wireless local loop hub does not match the current location of the wireless local loop hub, as recited in claim 10. (Emphasis added).

In rejecting claims 1 and 10, the Examiner indicated that Williams et al. is silent on activating an alert if the registered location of the fixed wireless device does not match the current location of the fixed wireless device. To overcome this deficiency of Williams et al., the Examiner indicated that Stilp et al. teaches locating a wireless device and comparing it with a predetermined (i.e., registered) location, to activate an alarm if the wireless device is not in the predetermined (i.e., registered) location.

Stilp et al., however, does not disclose or suggest activating the alert *at the fixed wireless device* or *at the wireless local loop hub*. (Emphasis added). Rather, Stilp et al. discloses generating an alarm for subscribers at *remote locations*. (See, e.g., Stilp et al., col. 6, lines 20-21, and col. 19, lines 42-43, emphasis added). Stilp et al. also discloses means for comparing the current location of a telephone with a prescribed range of locations and indicating an alarm condition when the current location is not within the prescribed range, and that these means could be used to *notify a parent when the child who borrowed the parent's car and cellular telephone to "go to the mall," has in fact gone somewhere else*. (See, e.g., Stilp et al., col. 6, lines 3-10, emphasis added). These portions of Stilp et al., as well as the rest of Stilp et al., do

not disclose or suggest activating an alert *at the fixed wireless device* if the registered location of the fixed wireless device does not match the current location of the fixed wireless device. (Emphasis added).

Graham fails to make up for the deficiency of Williams et al. and Stilp et al. At best, Graham discloses a mobile station having a display device for displaying a landmark and the locations of several subscribers. (See, e.g., Graham, paragraph 64, lines 1-6). This portion of Graham, alone or in combination with Williams et al., Stilp et al., and the rest of Graham, does not disclose or suggest activating an alert *at the fixed wireless device* if the registered location of the fixed wireless device does not match the current location of the fixed wireless device. (Emphasis added).

Applicant submits that claims 1 and 10 are allowable because the combination of Williams et al., Stilp et al., and Graham fails to disclose or suggest all of the limitations of claims 1 and 10. Further, because claim 3 depends on allowable claim 1 and necessarily includes all of the limitations of claim 1, claim 3 is allowable as well.

b. Claims 2 and 6-8

The Examiner rejected claims 2 and 6-8 under 35 U.S.C. §103(a) as being unpatentable over the combination of Williams et al., Stilp et al., Graham, and Dupont et al. Applicant has cancelled claims 7-8, and thus the Examiner's rejection of claims 7-8 is moot.

The combination of Williams et al., Stilp et al., Graham, and Dupont et al. does not disclose or suggest all of the limitations of amended claim 1, nor does it disclose or suggest all of the limitations of dependent claims 2 and 6, which necessarily include all of the limitations of claim 1. Williams et al., Stilp et al., and Graham have been discussed above, and those discussions are applicable here.

Dupont et al. is silent as to the element of activating an alert *at the fixed wireless device* if the registered location of the fixed wireless device does not match the current location of the fixed wireless device, as recited in claim 1. (Emphasis added). At best, Dupont et al. discloses monitoring a person carrying a cellular telephone through a communication network wherein: (i) an expected path for the monitored person is determined by identifying a sequence of successive places or checkpoints, (ii) a real path followed by the monitored person is detected and compared with the expected path, both in space and sequence, and (iii) *an alert is sent to at least one individual, called alertee*, through the communication network when the real path differs from the expected path in place, sequence or in both place and sequence. (See, e.g., Dupont et al., paragraphs 16-19, emphasis added). This portion of Dupont et al., as well as the rest of Dupont et al., does not disclose or suggest activating an alert *at the fixed wireless device* if the registered location of the fixed wireless device does not match the current location of the fixed wireless device. (Emphasis added).

Because Dupont et al. does not cure the deficiencies of Williams et al., Stilp et al., and Graham, Applicant respectfully submits that the rejection of claims 2 and 6 should be withdrawn.

c. Claims 4-5 and 9

The Examiner rejected claims 4-5 and 9 under 35 U.S.C. §103(a) as being unpatentable over the combination of Williams et al., Stilp et al., Graham, and Takahara et al. The combination of Williams et al., Stilp et al., Graham, and Takahara et al. does not disclose or suggest all of the limitations of amended claim 1, nor does it disclose or suggest all of the limitations of dependent claims 4-5 and 9, which necessarily include all of the limitations of claim 1. Williams et al., Stilp et al., and Graham have been discussed above, and those discussions are applicable here.

Takahara et al. is silent as to the element of *activating an alert* at the fixed wireless device *if the registered location of the fixed wireless device does not match the current location of the fixed wireless device*, as recited in claim 1. (Emphasis added). At best, Takahara et al. discloses:

a mobile communications equipment which communicates with another equipment through a base station, and in which the state change of the mobile communications equipment based on the movement thereof, such as the movement from outside a service area into the service area, is detected and is notified to the user of the mobile communications equipment. *The notification* is given by a method comprising the steps of accepting an instruction as to *whether or not the user is to be notified that the state change has occurred between a state in which the equipment is communicable and a state in which it is incommunicable*.

(Takahara et al., abstract, emphasis added). Thus, Takahara et al. teaches notifying a user of mobile communications equipment whether the mobile communications equipment is communicable. Applicant submits that providing a user with notice whether the user's mobile communications equipment is communicable does not amount to activating an alert at a fixed wireless device if a registered location of the fixed wireless device does not match a current location of the fixed wireless device. The other sections of Takahara et al. also do not teach or suggest activating an alert at a fixed wireless device if a registered location of the fixed wireless device does not match a current location of the fixed wireless device.

Because Takahara et al. does not cure the deficiencies of Williams et al., Stilp et al., and Graham, Applicant respectfully submits that the rejection of claims 4-5 and 9 should be withdrawn.

d. Claims 11-13 and 18-22

The Examiner rejected claims 11-13 and 18-22 under 35 U.S.C. §103(a) as being unpatentable over Williams et al. in view of DuPont et al. and Graham. Applicant has amended independent claims 11 and 22. Claims 11 and 22, as amended, clearly distinguish over the

combination of Williams et al., DuPont et al., and Graham because the combination of Williams et al., DuPont et al., and Graham fails to disclose or suggest all of the limitations of either of these claims.

With respect to claim 11, the combination of Williams et al., DuPont et al., and Graham, fails to disclose or suggest at least the element of alert logic arranged to invoke the alert mechanism so as to provide an alert *at the fixed wireless device* in response to a determination that the current location does not match the registered location. (Emphasis added).

With respect to claim 22, the combination of Williams et al., DuPont et al., and Graham fails to disclose or suggest at least the elements of alert logic arranged to invoke the alert mechanism so as to provide an alert *at the wireless local loop hub* in response to a determination that the current location does not match the registered location. (Emphasis added).

Williams et al., Dupont et al., and Graham were discussed above, and those discussions are applicable here. At best, the combination of Williams et al., Dupont et al., and Graham teach (i) sending an alert to an alertee when a monitored person carrying a cellular telephone takes a path different from an expected path, and (ii) a mobile station having a display device for displaying a landmark and the locations of several subscribers. Sending to an alertee an alert based on the location of a person other than the alertee, and merely displaying locations of subscriber locations on a display device of a mobile station, does not amount to alert logic arranged to invoke an alert mechanism so as to provide an alert *at the fixed wireless device (or at the wireless local loop hub)* in response to a determination that the current location of the fixed wireless device (or the wireless local loop hub) does not match the registered location of the fixed wireless device (or the wireless local loop hub), as recited in claims 11 and 22.

Applicant submits that claims 11 and 22 are allowable because the combination of Williams et al., DuPont et al., and Graham fails to disclose or suggest all of the limitations of claims 11 and 22. Further, because claims 12-13, 18, 21, and 24 depend on allowable claim 11 and necessarily include all of the limitations of claim 11, claims 12-13, 18, 21, and 24 are allowable as well. Further still, Applicant has cancelled claims 19-20, and thus the Examiner's rejection of claims 19-20 is moot.

e. Claims 14-17

The Examiner rejected claims 14-17 under 35 U.S.C. §103(a) as being unpatentable over the combination of Williams et al., Dupont et al., Graham, and Takahara et al. The combination of Williams et al., Dupont et al., Graham, and Takahara et al. does not disclose or suggest all of the limitations of amended claim 11, nor does it disclose or suggest all of the limitations of dependent claims 14-17, which necessarily include all of the limitations of claim 11. Williams et al., Dupont et al., and Graham have been discussed above, and those discussions are applicable here.

Takahara et al. is silent as to the element of alert logic arranged to invoke the alert mechanism so as to *provide an alert at the fixed wireless device in response to a determination that the current location does not match the registered location.* (Emphasis added). As noted above, at best, Takahara et al. discloses:

a mobile communications equipment which communicates with another equipment through a base station, and in which the state change of the mobile communications equipment based on the movement thereof, such as the movement from outside a service area into the service area, is detected and is notified to the user of the mobile communications equipment. *The notification* is given by a method comprising the steps of accepting an instruction as to *whether or not the user is to be notified that the state change has occurred between a state in which the equipment is communicable and a state in which it is incommunicable.*

(Takahara et al., abstract, emphasis added). Thus, Takahara et al. teaches notifying a user of mobile communications equipment whether the mobile communications equipment is communicable. Applicant submits that providing a user with notice whether the user's mobile communications equipment is communicable does not amount to alert logic arranged to invoke the alert mechanism so as to provide an alert at the fixed wireless device in response to a determination that the current location does not match the registered location. The other sections of Takahara et al. also do not teach or suggest alert logic arranged to invoke the alert mechanism so as to provide an alert at the fixed wireless device in response to a determination that the current location does not match the registered location.

Because Takahara et al. does not cure the deficiencies of Williams et al., Dupont et al., and Graham, Applicant respectfully submits that the rejection of claims 14-17 should be withdrawn.

4. Conclusion

For the foregoing reasons, Applicant submits that claims 1-6, 9-18, and 21-24 are in condition for allowance. Therefore, Applicant respectfully requests favorable reconsideration and allowance of all of the claims.

Respectfully submitted,

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